

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

MARLO LIZA RUSCH,

Plaintiff,

v.

Case No: 6:21-cv-1047-GKS-DCI

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

THIS CAUSE comes before the Court upon Defendant's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g), With Remand to the Defendant (Doc. 15) (Motion), because

[t]he Commissioner believes remand is appropriate in this case so that an administrative law judge (ALJ) may further evaluate the case and issue a new administrative decision. Upon remand, the Appeals Council will instruct the ALJ to reevaluate whether medical improvement occurred in accordance with 20 C.F.R. §§ 404.1594 and 416.994, with a comparison of the prior and current evidence.

(Doc. 15). The Court referred the Motion to the United States Magistrate Judge for a report and recommendation (Report and Recommendation).

On September 8, 2021, the United States Magistrate Judge issued a report and recommendation (Report and Recommendation) recommending that the Motion be

granted, and the Commissioner's decision be reversed and remanded (Doc. 17). Thereafter, the parties filed a Joint Statement in Response to the Report and Recommendation (Doc. 18), stating that neither party has any objections to the Report and Recommendation.

After review and consideration of the Report and Recommendation (Doc. 17), and noting that neither party objects to the Report and Recommendation, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc. 17) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.
2. Defendant's Motion (Doc. 15) is **GRANTED**.
3. The final decision of the Commissioner is **REVERSED** and **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).
4. The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiff, Marlo Liza Rusch, and to **CLOSE THE CASE**.

DONE AND ORDERED at Orlando, Florida, this 20 day of September, 2021.



G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record
Unrepresented Parties